

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 SAJ-01 SCCT-01 SY-05 CIAE-00 DODE-00

PM-03 H-02 INR-07 L-02 NSAE-00 NSC-05 PA-01 PRS-01

SP-02 SS-15 USIA-06 OMB-01 IO-10 ACDA-05 FBIE-00 /080 W

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R 140950Z MAY 75

FM USMISSION USBERLIN

TO AMEMBASSY BONN

INFO SECSTATE WASHDC 892

C O N F I D E N T I A L USBERLIN 908

E.O. 11652: GDS

TAGS: PGOV, PINT, GW, WB

SUBJECT: ESTABLISHMENT OF FRG ANTI-TERRORIST UNIT

REF: BONN 7528

1. MISSION VIEWS FRG DECISION AS CONSTRUCTIVE STEP WHICH MAY, HOWEVER, POSE DIFFICULTIES FOR ALLIES IN BERLIN. RECENT GERMAN EFFORTS TO COPE WITH TERRORIST ACTIVITIES HAVE REVEALED NEED FOR FEDERAL AGENCY ABLE TO ANALYZE PROBLEM AND COORDINATE RESPONSE. CARE WOULD HAVE TO BE TAKEN, HOWEVER,

TO AVOID DIRECT APPLICATION TO BERLIN LEST IT TOUCH ON SENSITIVE AREA OF ALLIED RESPONSIBILITY FOR SECURITY AND STATUS AND COULD BE EXPECTED TO PRECIPITATE NEGATIVE SOVIET REACTION.

2. AS WE UNDERSTAND FRG PROPOSAL, LEGISLATION REQUIRED TO ESTABLISH ADDITIONAL BKA UNIT WOULD ALSO MAKE TERRORISM A FEDERAL CRIME, COMING UNDER JURISDICTION OF FEDERAL PROSECUTOR AS WELL AS BKA. (WE DO NOT KNOW WHETHER FRG PROPOSES TO EXTEND THIS LEGISLATION TO BERLIN.) AS WE HAVE SEEN IN LORENZ CASE, IN HEAT OF CRISIS, THESE AGENCIES MIGHT ASSUME THEIR JURISDICTION EXTENDS UNDIMINISHED TO BERLIN, AND WE COULD FIND OURSELVES FACED WITH FEDERAL OFFICIALS OVERTLY DIRECTING INTERNAL SECURITY OPERATIONS
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IN BERLIN.

3. WE BELIEVE SERIOUS DIFFICULTIES CAN BE AVOIDED BY
EARLY CONSULTATIONS WITH FRG, CALLING TO THEIR ATTENTION
AGAIN NECESSITY TO CONTINUE HANDLING VIOLATIONS OF
FEDERAL LAW THROUGH EXISTING AGENCIES IN BERLIN AND
REMINDING THEM THAT FRG CANNOT EXERCISE POLICE AUTHORITY
IN BERLIN, I.E., FEDERAL AND LAENDER POLICE MAY BE SENT
TO ASSIST BERLIN POLICE BUT ONLY UNDER COMMAND OF BERLIN
POLICE PRESIDENT AND ACTING AS TEMPORARY MEMBERS OF
BERLIN POLICE. SELIGMANN

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